



**US Army Corps
of Engineers®**
New England District

PUBLIC NOTICE

Maine Project Office
675 Western Ave., #3
Manchester, Maine 04351

Date: MAY 9, 2006
Comment Period Ends: JUNE 9, 2006
File Number: NAE-2006-834
In Reply Refer To: Peter Tischbein
Or by e-mail: peter.tischbein@usace.army.mil

The District Engineer has received a permit application from the applicant below to **conduct work in waters of the United States** as described below. The Corps is soliciting comments on both the project itself and the range of issues to be addressed in the environmental documentation.

APPLICANT

Topsfield Real Estate Corporation, 14 Honor Place, Topsfield, MA 01983

ACTIVITY

The applicant proposes to fill 4.3 acres of forested, scrub/shrub and wet meadow wetlands in order to develop a Lowe's Home Improvement Warehouse retail store. The store will consist of a 140,398 sq. ft. commercial building with an outdoor garden center, outdoor displays and a 482 space parking lot. Also proposed on the development site are a 2,480 sq. ft. bank, a 5,612 sq. ft. restaurant with 119 parking spaces and four self-storage buildings.

To offset the permanent loss of the wetlands the applicant intends to compensate by enhancing 6.2 acres of shrub/wet meadow wetlands with wetland plantings, preserving 1.7 acres of forested and shrub wetlands and preserving 9.2 acres of uplands on a site located off nearby Buttermilk Lane.

A detailed description and plans of the applicant's activity are attached.

WATERWAY AND LOCATION OF THE PROPOSED WORK

This work is proposed in freshwater wetlands in on a 28.3 acre parcel on the north side of U.S. Route 1 in Thomaston, Knox Co., Maine. The proposed location on the USGS Thomaston quadrangle sheet is at UTM coordinates 44.0928431N and 68.8597165 W.

AUTHORITY

Permits are required pursuant to:

- ☐ Section 10 of the Rivers and Harbors Act of 1899
☒ Section 404 of the Clean Water Act
☐ Section 103 of the Marine Protection, Research and Sanctuaries Act).

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which may reasonably accrue from the proposal must be balanced against

its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are: conservation, economics, aesthetics, general environmental concerns, wetlands, cultural value, fish and wildlife values, flood hazards, flood plain value, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Where the activity involves the discharge of dredged or fill material into waters of the United States or the transportation of dredged material for the purpose of disposing it in ocean waters, the evaluation of the impact of the activity in the public interest will also include application of the guidelines promulgated by the Administrator, U.S Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act, and/or Section 103 of the Marine Protection Research and Sanctuaries Act of 1972 as amended.

In order to properly evaluate the proposal, we are seeking public comment. Anyone wishing to comment is encouraged to do so. **Comments should be submitted in writing by the above date.** If you have any questions, please contact Peter Tischbein at the Maine Project Office (207) 623-8367.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for a public hearing shall specifically state the reasons for holding a public hearing. The Corps holds public hearings for the purpose of obtaining public comments when that is the best means for understanding a wide variety of concerns from a diverse segment of the public.

(1) 106 REVIEW COMPLETE

Based on his initial review, the District Engineer has determined that little likelihood exists for the proposed work to impinge upon properties with cultural or Native American significance, or listed in, or eligible for listing in, the National Register of Historic Places. Therefore, no further consideration of the requirements of Section 106 of the National Historic Preservation Act of 1966, as amended, is necessary. This determination is based upon one or more of the following:

- a. The permit area has been extensively modified by previous work.
- b. The permit area has been recently created.
- c. The proposed activity is of limited nature and scope.
- d. Review of the latest published version of the National Register shows that no presence of registered properties listed as being eligible for inclusion therein are in the permit area or general vicinity.
- e. Coordination with the State Historic Preservation Officer and/or Tribal Historic Preservation Officer(s)

Pursuant to the Endangered Species Act, the District Engineer is hereby requesting that the appropriate Federal

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Agency provide comments regarding the presence of and potential impacts to listed species or its critical habitat.


The initial determinations made herein will be reviewed in light of facts submitted in response to this notice. All comments will be considered a matter of public record. Copies of letters of objection will be forwarded to the applicant who will normally be requested to contact objectors directly in an effort to reach an understanding.

The following authorizations have been applied for, or have been, or will be obtained:

- (X) Permit, License or Assent from State.
- () Permit from Local Wetland Agency or Conservation Commission.
- (X) Water Quality Certification in accordance with Section 401 of the Clean Water Act.

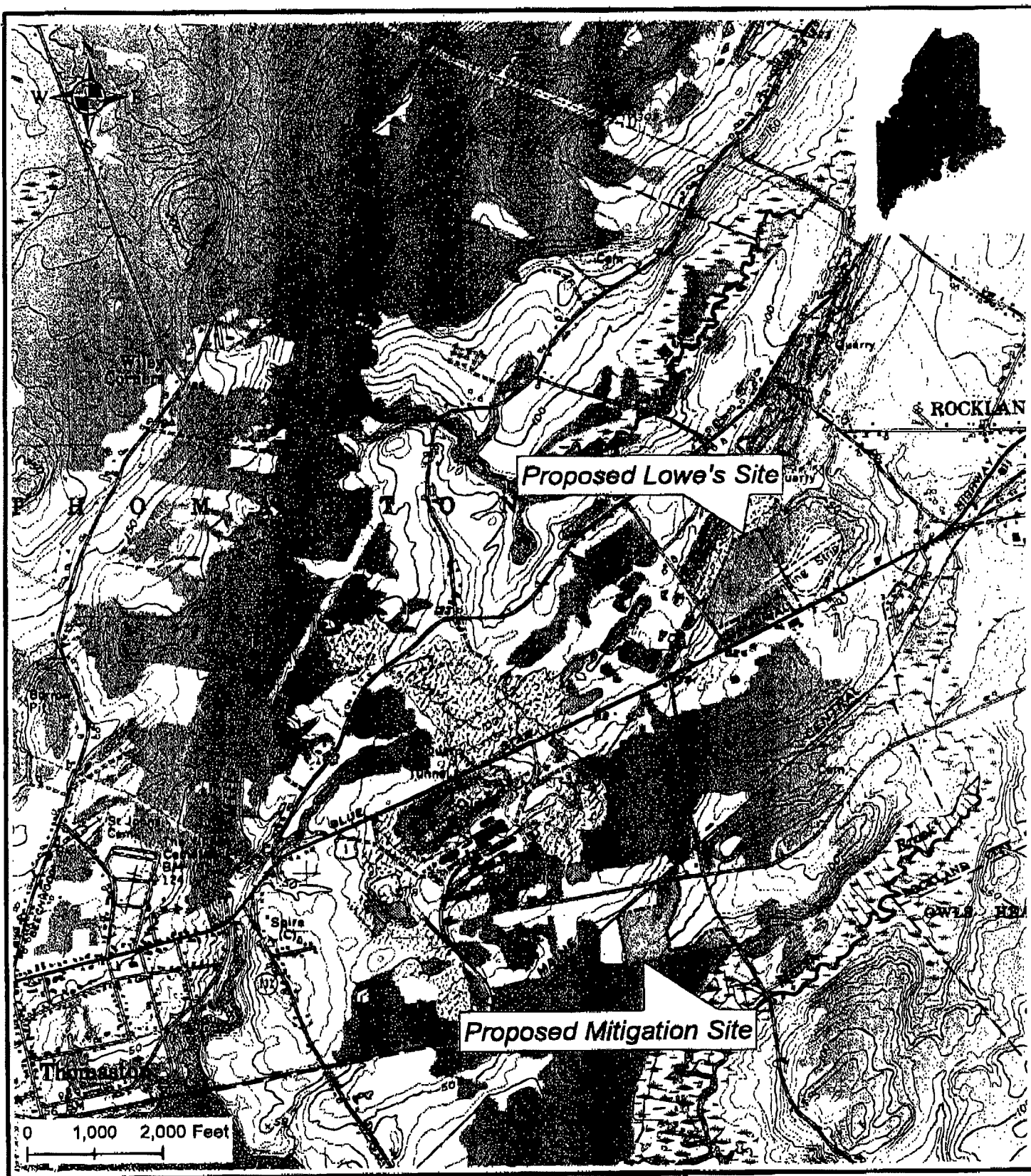
THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.

For more information on the New England District Corps of Engineers programs, visit our website at <http://www.nae.usace.army.mil>.


Frank J. Del Giudice
Chief, Permits & Enforcement Branch
Regulatory Division

If you would prefer not to continue receiving Public Notices, please contact Ms. Tina Chaisson at (978) 318-8058 or e-mail her at bettina.m.chaisson@usace.army.mil. You may also check here () and return this portion of the Public Notice to: Bettina Chaisson, Regulatory Division, U.S. Army Corps of Engineers, 696 Virginia Road, Concord, MA 01742-2751.

NAME: _____
ADDRESS: _____



PREPARED BY:



WOODLOT
ALTERNATIVES, INC.
ENVIRONMENTAL CONSULTANTS

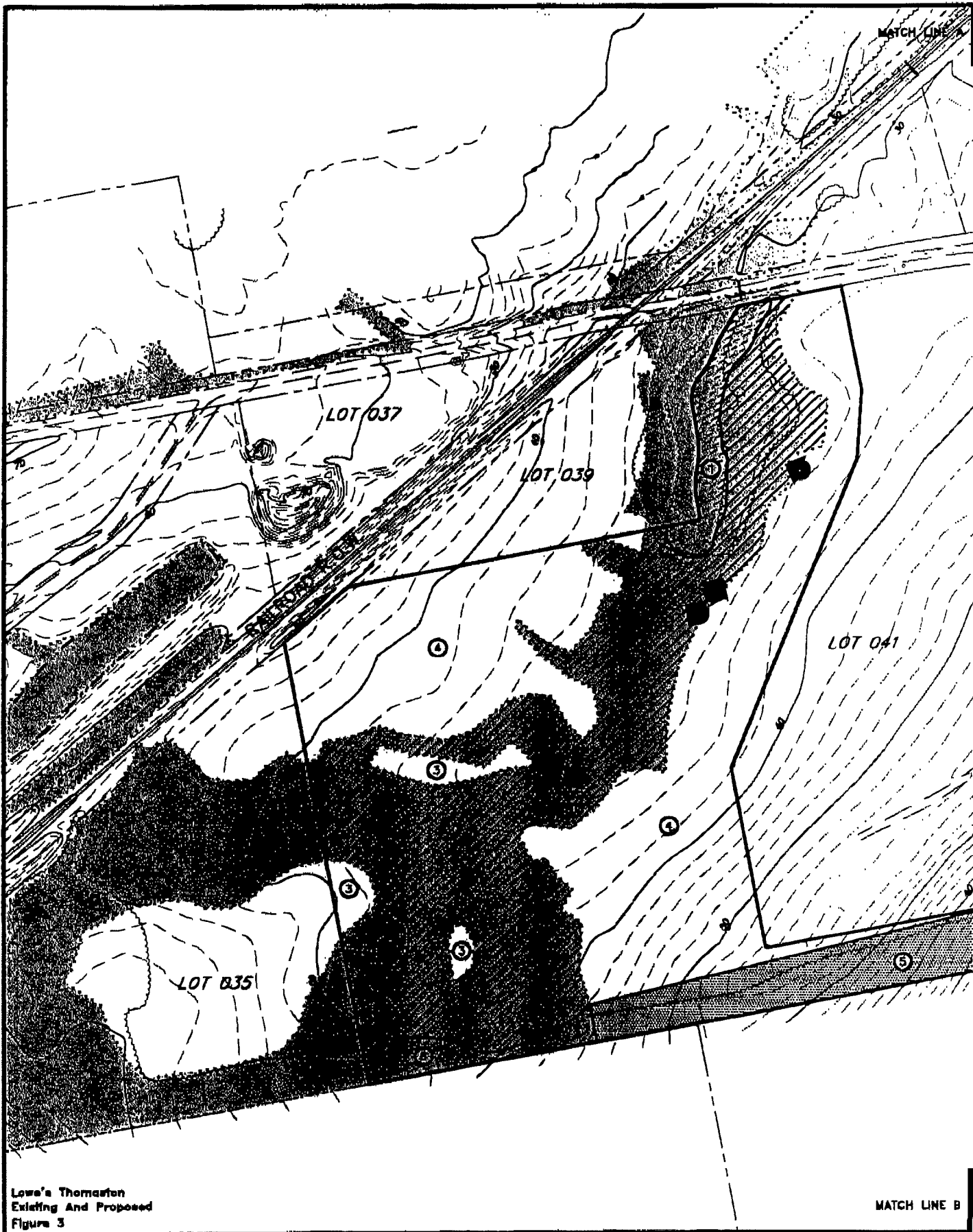
DATE: February 2008

SCALE: 1" = 2000'

JOB NO. 105108

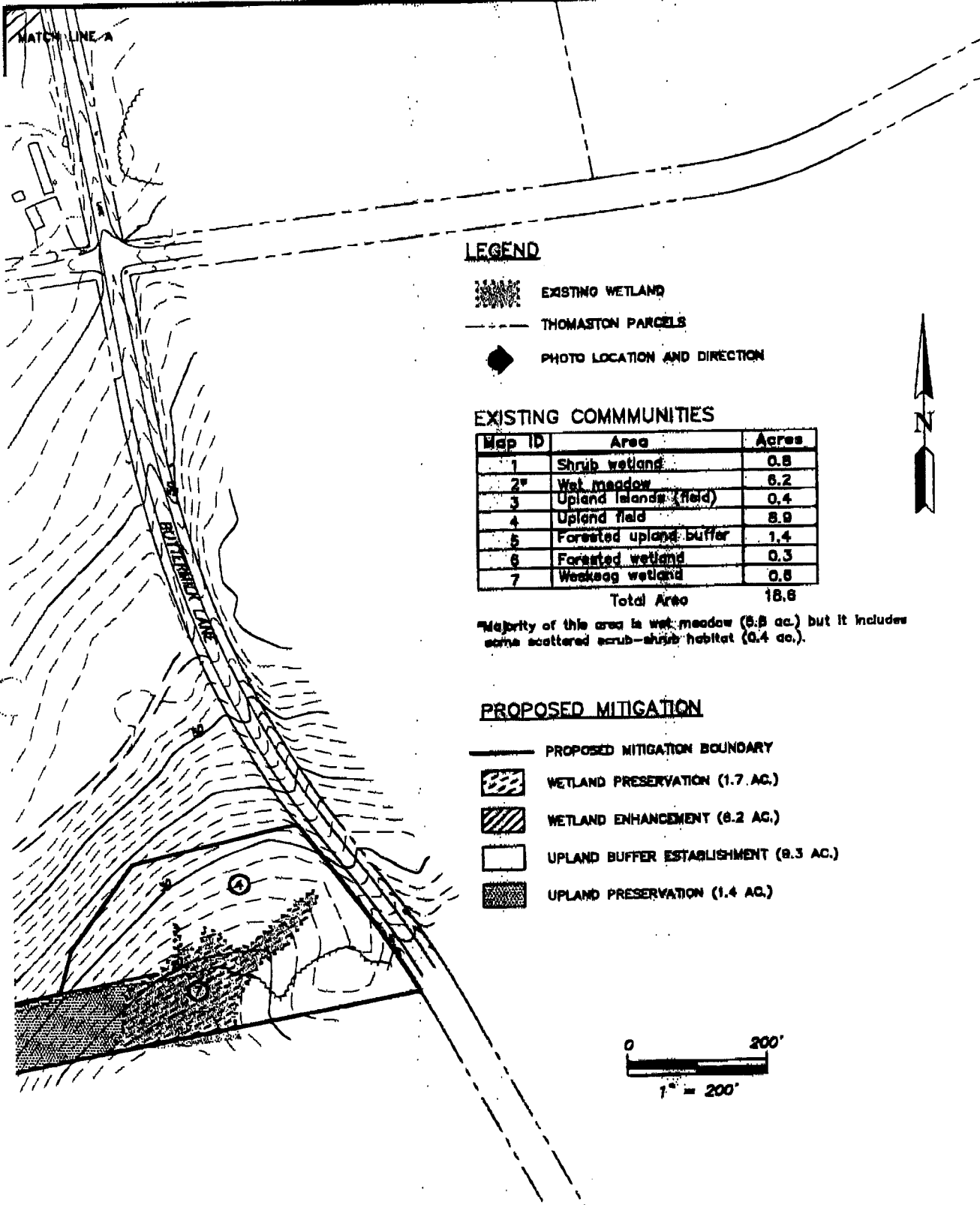
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*Figure 1 - Site Location Map
Wetland Mitigation Plan
Proposed Lowe's Warehouse
Thomaston, Maine*



Lowe's Thomaston
Existing And Proposed
Figure 3

MATCH LINE B



LEGEND

- EXISTING WETLAND
- THOMASTON PARCELS
- PHOTO LOCATION AND DIRECTION

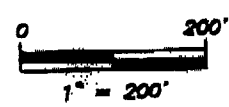
EXISTING COMMUNITIES

Map ID	Area	Acres
1	Shrub wetland	0.8
2	Wet meadow	6.2
3	Upland islands (field)	0.4
4	Upland field	8.9
5	Forested upland buffer	1.4
6	Forested wetland	0.3
7	Wetland wetland	0.8
Total Area		18.8

Majority of this area is wet meadow (6.2 ac.) but it includes some scattered scrub-shrub habitat (0.4 ac.).

PROPOSED MITIGATION

- PROPOSED MITIGATION BOUNDARY
- WETLAND PRESERVATION (1.7 AC.)
- WETLAND ENHANCEMENT (8.2 AC.)
- UPLAND BUFFER ESTABLISHMENT (8.3 AC.)
- UPLAND PRESERVATION (1.4 AC.)



NOTES:

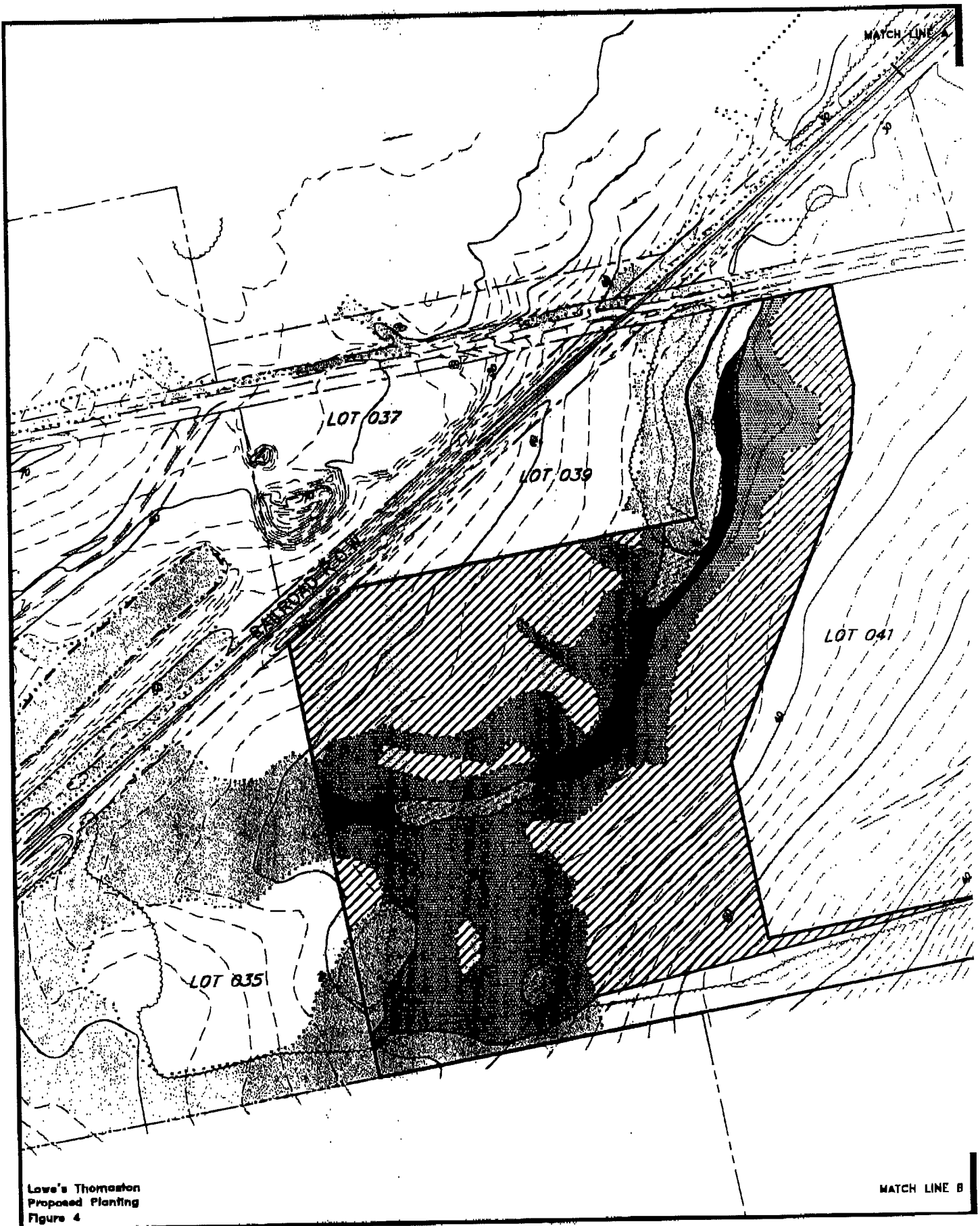
1. REFER TO FIGURE 4 AND THE MITIGATION PLAN NARRATIVE FOR PROPOSED COMPENSATION AREAS AND METHODS.
2. BASE MAP INFORMATION FROM USGS ORTHOPHOTO QUADS AND TOWN PARCEL MAPS.

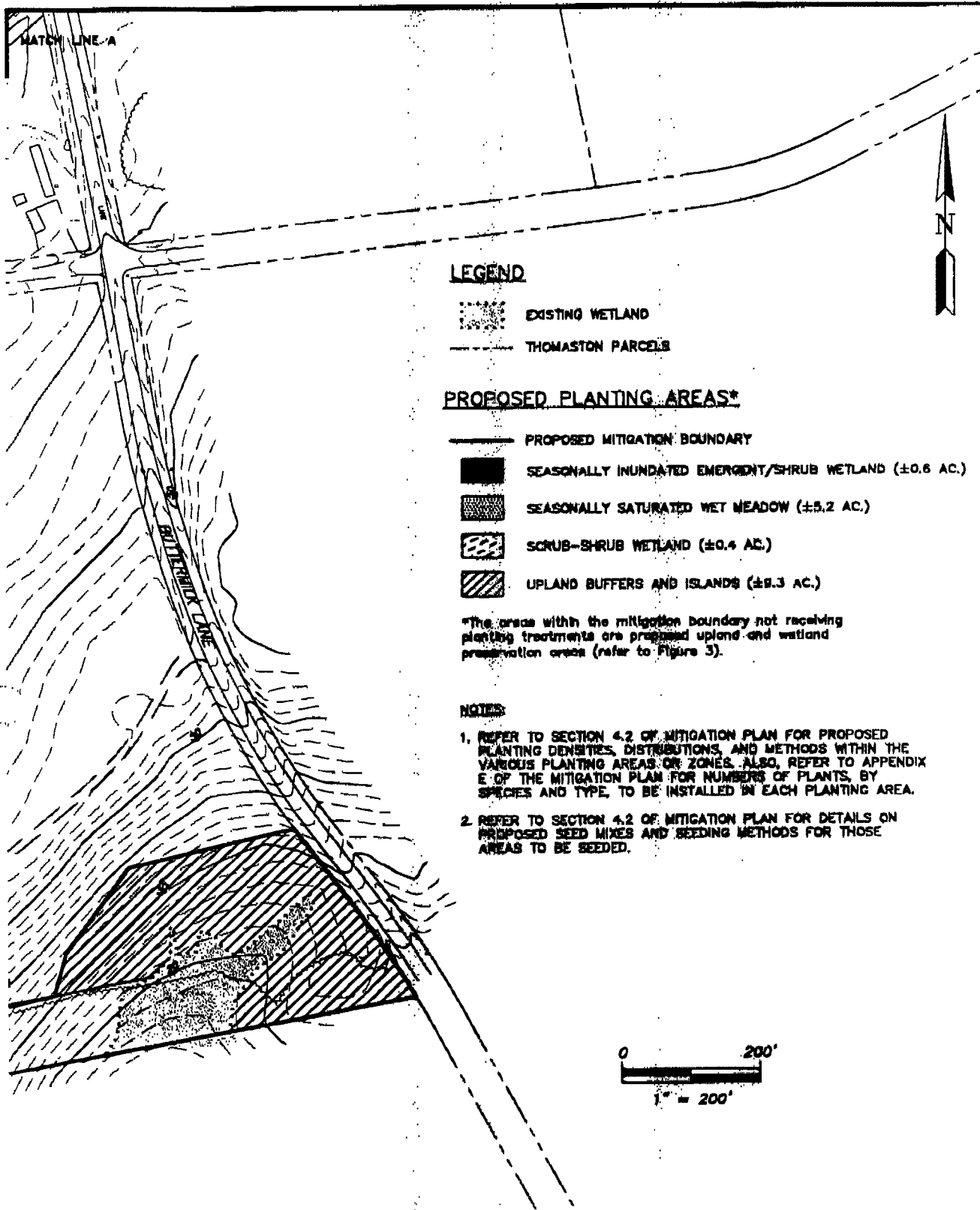
Existing And Proposed Conditions
Buttermilk Lane Mitigation Site

Wetland Mitigation Plan
Proposed Lowe's Warehouse
Thomaston, Maine

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ENVIRONMENTAL CONSULTANTS

DATE: February 2008
SCALE: 1" = 200'
PROJECT NO. 105108
FIGURE:





LEGEND

- EXISTING WETLAND
- THOMASTON PARCELS

PROPOSED PLANTING AREAS*

- PROPOSED MITIGATION BOUNDARY
- SEASONALLY INUNDATED EMERGENT/SHRUB WETLAND (±0.6 AC.)
- SEASONALLY SATURATED WET MEADOW (±5.2 AC.)
- SCRUB-SHRUB WETLAND (±0.4 AC.)
- UPLAND BUFFERS AND ISLANDS (±9.3 AC.)

*The areas within the mitigation boundary not receiving planting treatments are proposed upland and wetland preservation areas (refer to Figure 3).

NOTES

1. REFER TO SECTION 4.2 OF MITIGATION PLAN FOR PROPOSED PLANTING DENSITIES, DISTRIBUTIONS, AND METHODS WITHIN THE VARIOUS PLANTING AREAS OR ZONES. ALSO, REFER TO APPENDIX E OF THE MITIGATION PLAN FOR NUMBERS OF PLANTS, BY SPECIES AND TYPE, TO BE INSTALLED IN EACH PLANTING AREA.
2. REFER TO SECTION 4.2 OF MITIGATION PLAN FOR DETAILS ON PROPOSED SEED MIXES AND SEEDING METHODS FOR THOSE AREAS TO BE SEEDS.

NOTES:

1. REFER TO THE MITIGATION PLAN NARRATIVE FOR DESCRIPTIONS OF PROPOSED SOIL PREPARATION, PLANTING, AND SEEDING METHODS.
2. BASE MAP INFORMATION FROM USGS ORTHOPHOTO QUADS AND TOWN PARCEL MAPS.

Proposed Planting Plan
Buttermilk Lane Mitigation Site

SHEET TITLE:

Wetland Mitigation Plan
Proposed Lowe's Warehouse
Thomaston, Maine

PROJECT:

PREPARED BY:

DATE: February 2008
SCALE: 1" = 200'
PRGL NO. 105108
FIGURE:

4

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105108-004-wet-planting.dwg

MATCH LINE B